

## REMARKS

Claims 19 through 35 are presented in this continuation application, with Claims 19 through 29 corresponding to the claims in the parent application. New Claims 30 through 35 are presented based upon certain comments in the Official Action mailed December 17, 2002, in the parent application.

With respect to Claims 30-35, the Official Action referred to above indicated, at page 5, that the claims were incomplete for failure to include thicknesses of the materials. While Applicant disagrees, for expediency Applicant has provided additional claims which do, in fact, include the thickness of one or more layers. It is submitted that these claims are allowable.

With respect to Claims 19-29, Applicant submits that the rejection based upon obviousness should be withdrawn based on the first full paragraph on page 5 of the Official Action referred to above. The Official Action states: "Also, given the complexity of the stack and the number of variables that ultimately affect the properties claimed, there is little predictability . . .". Applicant submits that "little predictability" is the antithesis of obviousness and thus, measured at the time of the invention, the invention would not have been obvious to one of ordinary skill in the art.

Further, Applicant submits that the necessary predictability does exist based upon Applicant's disclosure such that as to Claims 19 through 29, the absence of numerical details of layer thickness in one or more of those claims does not render the claims vague, incomplete, or lacking necessary specificity. Applicant's disclosure can not be used against Applicant with respect to obviousness at the time of the invention, but may be used in favor of Applicant to demonstrate the sufficiency of Applicant's teaching.

For the foregoing reasons, reconsideration and allowance are solicited. Should the Examiner be of the opinion that a conference would expedite the prosecution of this application,

either before or after the first Official Action, the Examiner is requested and encouraged to call Applicant's attorney at the telephone number given below.

Respectfully submitted,

PIPER RUDNICK LLP

A handwritten signature in black ink, appearing to read "Jerold I. Schneider", is written over a horizontal line.

Jerold I. Schneider  
Registration No. 24,765  
Attorney of Record

1200 Nineteenth Street, N.W.  
Washington, D.C. 20036-2412  
Telephone No. (202) 861-3900  
Facsimile No. (202) 223-2085